

14 October 1988

OCA 3451-88

MEMORANDUM FOR: Chief, Administrative Law Division/OGC

FROM: [redacted] Legislation Division
Office of Congressional Affairs

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SUBJECT: Berne Convention Implementation Act of 1988,
S. 1301 and H.R. 4262

1. Attached for your information is a copy of the above-captioned bill. It has been passed by both houses of Congress and has been sent to the President for signature.

2. If you have any questions, please telephone me on

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Attachment

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OCA/LEG/[redacted] (14 October 1988)

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Distribution:

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1 - [redacted] Signer

1 - OCA Read

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LEGI-SLATE Report for the 100th Congress Tue, October 18, 1988 8:58am (EDT)

Report for H.R.4262 Berne Convention Implementation Act of 1988
As finally approved by the House and Senate (Enrolled), AT THE SECOND
SESSION
Complete Text of this version

H.R.4262
One Hundredth Congress of the United States of America
AT THE SECOND SESSION
Begun and held at the City of Washington on Monday,
the twenty-fifth day of January, one thousand nine hundred and eighty-eight

An Act
To amend title 17, United States Code, to implement the Berne Convention
for the Protection of Literary and Artistic Works, as revised at Paris on July
24, 1971, and for other purposes.

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Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled,

SECTION 1. SHORT TITLE AND REFERENCES TO TITLE 17,
UNITED STATES CODE.

(a) Short Title.--This Act may be cited as the "Berne Convention
Implementation Act of 1988".

(b) References to Title 17, United States Code.--Whenever in this Act an
amendment or repeal is expressed in terms of an amendment to or a repeal of a
section or other provision, the reference shall be considered to be made to a
section or other provision of title 17, United States Code.

SEC. 2. DECLARATIONS.

The Congress makes the following declarations:

(1) The Convention for the Protection of Literary and Artistic Works,
signed at Berne, Switzerland, on September 9, 1886, and all acts,
protocols, and revisions thereto (hereafter in this Act referred to as the
"Berne Convention") are not self-executing under the Constitution and laws
of the United States.

(2) The obligations of the United States under the Berne Convention may
be performed only pursuant to appropriate domestic law.

(3) The amendments made by this Act, together with the law as it exists
on the date of the enactment of this Act, satisfy the obligations of the
United States in adhering to the Berne Convention and no further rights or
interests shall be recognized or created for that purpose.

SEC. 3. CONSTRUCTION OF THE BERNE CONVENTION.